

ORDINANCE No. 2793.

AN ORDINANCE amending Section 14 of Ordinance No. 1586 of the City of Everett, entitled as follows:

"AN Ordinance for the protection of life and limb, and relating to excavations in, under, or near, obstructions to, and use of the streets, alleys, sidewalks and public places in the City of Everett, repealing Ordinances numbers 23 and 714, prescribing punishment for violations thereof, and declaring an emergency,"

and declaring an emergency.

THE CITY OF EVERETT DOES ORDAIN:

Section 1: That Section 14 of Ordinance No. 1586 be, and the same is hereby amended to read as follows:

STAIRWAYS AND STEPS.

Section 14: It shall be unlawful to erect or maintain over, upon or under any sidewalk any stairway or stairs of any kind without the written consent of the City Council, and it shall be unlawful to erect or maintain any stairway or steps under the surface of any sidewalk, alley or street area unless all entrances from such sidewalk, alley or street are protected by a metal gate opening outwardly only, and so constructed that said gate will automatically close. Said gates shall at all times be kept in good repair.

All persons or corporations desiring to construct, or are now maintaining any steps or stairways shall make application to the City Council of Everett for a permit to construct or maintain any such steps or stairways and such application must be accompanied with the plans or description of such steps or stairs and of the gates to be maintained at the sidewalk, alley or street entrance to the same.

All persons or corporations now maintaining such steps or stairways shall make application for the maintenance of the same, and if a permit is granted for said maintenance shall install said gates in accordance with this ordinance within Thirty (30) days after the taking effect of this ordinance.

If any person or corporation shall fail to comply with the terms of this section the City Council shall have the right to order all sidewalk, alley or street entrances to said stairs or steps to be closed, and during the period such entrances are ordered closed, it shall be unlawful for any person to use any of such entrances.

Before any permit referred to herein shall be issued, the owners of the real estate in connection with which the structures to be covered by said permit shall be used, shall enter into an agreement with Everett providing that the owners

of said real estate shall save Everett harmless from any and all loss, damage or injury that may be caused to any person or property by reason of the construction or maintenance of such structures. Such agreement shall be in a form approved by the City Council and shall constitute a covenant attaching to and running with said real estate.

Section 2: An emergency is declared to exist and this ordinance shall take effect upon its passage and publication.

A. Edwards
Mayor

Attest:

H. Mendenhall
City Clerk

Passed: Nov. 1 - 1938

Published: Nov. 2 - 1938